

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Case No. 2:21-cv-05017-PCK-SIL

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NOE GONZALEZ, individually and on behalf of all
others similarly situated,

Plaintiff,

-against-

THE CHEESECAKE FACTORY RESTAURANTS,
INC. d/b/a THE CHEESECAKE FACTORY,

Defendant.

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**NOTICE OF DEFENDANT'S MOTION TO STAY CASE
AND TO COMPEL INDIVIDUAL ARBITRATION**

Defendant The Cheesecake Factory Restaurants, Inc. d/b/a The Cheesecake Factory (“TCFI”) will move before The Honorable Pamela K. Chen, United States District Judge for the United States District Court of the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, at a date and time to be determined, for an order granting TCFI’s motion to stay case and to compel individual arbitration pursuant to the Federal Arbitration Act.

TCFI’s motion is supported by a memorandum of law, a declaration from Barbara Lewis with attached exhibits, and a certified translation from Walter L. Krochmal. *See* Local Civil Rules 7.1(a)(2) and 7.1(a)(3). TCFI has filed a proposed order as well. *See* Individual Rule 1(E).

Dated: June 30, 2023

Respectfully submitted,

/s/ Timothy Barbeta
Timothy Barbeta
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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I, Timothy Barbetta, certify that the **NOTICE OF DEFENDANT'S MOTION TO STAY CASE AND TO COMPEL INDIVIDUAL ARBITRATION** was sent on June 30, 2023 via Electronic Mail to:

Steve Moser
Moser Law Firm PC
5 East Main Street
Huntington, New York 11743
Phone: 516.671.1150
Email: steven.moser@moserlawfirm.com

/s/ Timothy Barbetta
Timothy Barbetta